

ATTORNEY DOCKET NO.: TS01-1037
N1085-90149

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Application of: **Chi-An Kao et al.**

DEC 05 2006

Serial No.: **10/661,793**

Group Art Unit: **2823**

Filed: **09/12/2003**

Examiner: **Khiem D. Nguyen**

For: CONSTANT AND REDUCIBLE HOLE BOTTOM CD IN VARIABLE POST-CMP THICKNESS AND AFTER-DEVELOPMENT-INSPECTION CD

CERTIFICATE OF MAILING/FACSIMILE TRANSMISSION PURSUANT TO 37 C.F.R. §1.8

I hereby certify that this correspondence (and anything referred to as being transmitted herewith) is being facsimile transmitted to the United States Patent and Trademark Office (Fax No. 571-273-8300) on the date shown below.

Examiner Khiem D. Nguyen
Mail Stop AF
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

December 5, 2006

Date

Maria E. Provencio
Maria E. Provencio

**INFORMATION DISCLOSURE STATEMENT
TRANSMITTAL LETTER**

Dear Sir:

Enclosed herewith is an Information Disclosure Statement pursuant to 37 CFR § 1.56 in connection with the above-identified application, which statement is being filed:

- ☐ Together with the present application.
- ☐ Before the first Office Action on the merits or three (3) months from the filing date of this application, whichever occurs last. **[37 CFR § 1.97(b)]**
- ☐ After the first Office Action on the merits, but before a Final Office Action under §1.113 or Notice of Allowance under §1.311, whichever occurs first. **[37 CFR § 1.97(c)]**
- ☒ After a Final Office Action under §1.113 or Notice of Allowance under §1.311, but prior to or with payment of the Issue Fee. **[37 CFR § 1.97(d)]**

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Consistent with Applicant's obligations pursuant to 37 CFR §§1.97 and 1.98, the following requirements have been met:

☐ No separate requirements are needed.

☐ No additional fee is required.

☐ **Fee Under 37 CFR § 1.97(c)**

The fee of \$180.00 for submission of an IDS under § 1.97(c) as set forth in § 1.17(p) accompanies this statement.

☒ **Fee Under 37 CFR § 1.97(d)**

The fee of \$180.00 for submission of an information disclosure statement under § 1.97(d) set forth in § 1.17(p) accompanies this statement.

☒ **Certification Under 37 CFR § 1.97(e)**

☐ Each item of information contained in this statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement; or

☒ No item of information contained in this statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the statement after making reasonable inquiry, no item of information contained in this statement was known to any individual designated in §1.56(c) more than three months prior to the filing of this statement.

Provision of Copies of References

☐ A copy of each of the non-U.S. patent references listed on the attached Form PTO-1449 is enclosed herewith and forms a part hereof.

☐ Partial Translation is enclosed herewith and form a part hereof.

☐ A copy of the European Search Report from a corresponding or related EPO application is enclosed herewith.

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- ☐ A copy of the International Search Report from a corresponding or related PCT application is enclosed herewith.

Identification of Prior Application(s) In Which Listed Information Was Already Cited And For Which No Copies Are Submitted Or Need Be Submitted

- ☐ This application relies, under 35 U.S.C. § 120, on the earlier filing date of prior U.S. Application No(s). The following references were submitted to, and/or cited by, the Office in the prior application(s) and therefore are not required to be provided in this application:
- ☒ The Commissioner is hereby authorized to charge any fees associated with this communication or credit any overpayment to Deposit Account No. 04-1679 pursuant to the Fee Transmittal, filed herewith.

Respectfully submitted,



Mark J. Marcelli
Attorney for Applicants
Reg. No. 36,593

DATE: December 5, 2006

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DEC 05 2006

PTQ/SBJ/08A (07-05)

Approved for use through 07/31/2008. OMB 0651-0031
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Substitute for form 1449/PTO

(Use as many sheets as necessary)

Sheet 1 of 1

Complete if Known

Application Number	10/661,793
Filing Date	09/12/2003
First Named Inventor	Chi-An Kao
Art Unit	2823
Examiner Name	Nguyen, Khiem D.
Attorney Docket Number	TS01-1037

U. S. PATENT DOCUMENTS

[illegible]

Examiner Signature	Date Considered
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 809. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 801.04. ³ Enter Office that issued the document by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.